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ISAACSON, IRVING, STELACONE & PRASS, LLC
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In re Application of JACKSON :
U.S. Application No.: 10/530,581 :
PCT Application No.: PCT/US2005/008296 :
Int. Filing Date: 11 March 2005 :
Priority Date Claimed: 13 March 2004 : COMMUNICATION
Attorney Docket No.: 010-0011B :
For: SYSTEM AND METHOD FOR A SELF-
OPTIMIZING RESERVATION IN TIME OF
COMPUTE RESOURCES :
:

This application is before the Office of PCT Legal Administration for consideration of issues arising under 35 U.S.C. 371.

BACKGROUND

On 11 March 2005, applicant filed international application PCT/US2005/008296, which claimed priority of an earlier United States application filed 13 March 2004. The thirty-month period for paying the basic national fee in the United States expired on 13 September 2006.

On 07 April 2005, applicant filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and was assigned U.S. application number 10/530,581.

On 11 August 2006, applicant filed an additional set of national stage papers in the DO/EO/US. The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1) and was assigned U.S. Application Number 10/589,342.

DISCUSSION

The submission of two different sets of application papers to enter the national stage in the United States was improper.

CONCLUSION

For the reasons above, the serialization of U.S. application number 10/589,342 is hereby VACATED.

If reconsideration on the merits of this communication is desired, a proper response must be filed within TWO (2) MONTHS from the mail date of this decision. A proper response would include a petition under 37 CFR 1.182 along with the requisite \$400.00 petition fee.

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

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